

NORTH CAROLINA GENERAL ASSEMBLY  
1975 SESSION

CHAPTER 917  
HOUSE BILL 630

AN ACT ESTABLISHING A TUITION ASSISTANCE BENEFIT FOR MEMBERS OF THE  
NORTH CAROLINA NATIONAL GUARD AND THE APPROPRIATION OF FUNDS  
TO PROVIDE THIS BENEFIT.

The General Assembly of North Carolina enacts:

**Section 1.** The provisions of this act shall constitute an additional Article to be added to Chapter 127 of the General Statutes. This Article and its sections shall be codified as necessary to conform to the numbering of preceding Articles and sections of Chapter 127 of the General Statutes, as the same may be amended from time to time.

**Sec. 2.** Short title. This act shall be known and may be cited as the North Carolina National Guard Tuition Assistance Act of 1975.

**Sec. 3.** Purpose. The General Assembly of North Carolina, recognizing that the North Carolina National Guard is the only organized, trained and equipped military force subject to the control of the State, hereby establishes a program of tuition assistance for qualifying guard members for the purpose of encouraging voluntary membership in the guard, improving the educational level of its members, and thereby benefiting the State as a whole.

**Sec. 4.** Definitions. (a) Business or trade school. Any school within the State of North Carolina which is licensed by the State Board of Education and listed by that board as an approved private business school or an approved private trade school.

(b) Private educational institutions. Any junior college, senior college or university which is operated and governed by private interests not under the control of the federal, State or any local government, which is located within and licensed by the State of North Carolina, which does not operate for profit, whose curriculum is primarily directed toward the awarding of associate, baccalaureate or graduate degrees, which agrees to the applicable administration and funding provisions of this Article.

(c) State educational institutions. Any of the constituent institutions of the University of North Carolina, or any community college or technical institute operated under the provision of Chapter 115A or Article 3 of Chapter 116 of the General Statutes of North Carolina.

(d) Secretary. The Secretary of Military and Veterans Affairs or his designee.

**Sec. 5.** Benefit. The benefit provided under this Article shall consist of a monetary tuition assistance grant not to exceed five hundred dollars (\$500.00) per academic year to qualifying members of the North Carolina National Guard. Benefits shall be payable for a period of one academic year at a time, renewable at the option of the secretary for a maximum of four academic years or until the course of study being pursued has been completed, whichever comes first.

**Sec. 6.** Eligibility. (a) Active members of the North Carolina National Guard who have completed a minimum of one year of satisfactory service and who are enrolled or who shall enroll in any business or trade school, private educational institution or State educational institution shall be eligible to apply for this tuition assistance benefit: Provided, that the applicant has a minimum obligation of two years remaining as a member of the national guard from the end of the academic period for which tuition assistance is provided or that the

applicant commit himself or herself to extended membership for at least two additional years from the end of said academic period.

(b) This tuition assistance benefit shall be applicable to students in the following categories:

- (1) Students seeking to achieve completion of their secondary school education at a community college or technical institute.
- (2) Students seeking trade or vocational training or education.
- (3) Students seeking to achieve a two-year associate degree.
- (4) Students seeking to achieve a four-year baccalaureate degree.

**Sec. 7.** Administration and funding. (a) The Secretary of Military and Veterans Affairs is charged with the administration of the tuition assistance program under this Article. He may delegate administrative tasks to other persons within the Department of Military and Veterans Affairs as he deems best for the orderly administration of this program.

(b) The secretary shall determine the eligibility of applicants, select the benefit recipients, establish the effective date of the benefit, and may suspend or revoke the benefit if he finds that the recipient does not maintain an adequate academic status, or if the recipient engages in riots, unlawful demonstrations, the seizure of educational buildings, or otherwise engages in disorderly conduct, breaches of the peace, or unlawful assemblies. The secretary shall maintain such records and shall promulgate such rules and regulations as he deems necessary for the orderly administration of this program. The secretary may require of business or trade schools or State or private educational institutions such reports and other information as he may need to carry out the provisions of this Article and he shall disburse benefit payments for recipients upon certification of enrollment by the enrolling institutions.

(c) All benefit disbursements shall be made to the business or trade school or State or private educational institution concerned, for credit to the tuition account of each recipient.

(d) The participation by any business or trade school or private educational institution in this program shall be subject to the applicable provisions of this Article and to examination by the State Auditor of the accounts of the benefit recipients attending or having attended such private schools or institutions. The secretary may defer making an award or may suspend an award in any business or trade school or private educational institution which does not comply with the provisions of this Article relating to said institutions. The manner of payment to any business or trade school or private educational institution shall be as prescribed by the secretary.

(e) Irrespective of other provisions of this Article, the secretary may prescribe special procedures for adjusting the accounts of benefit recipients who, for reasons of illness, physical inability to attend classes or for other valid reason satisfactory to the secretary may withdraw from any business or trade school or State or private educational institution prior to the completion of the term, semester, quarter or other academic period being attended at the time of withdrawal.

**Sec. 8.** There is hereby appropriated from the General Fund to the Department of Military and Veterans Affairs the sum of two hundred twenty thousand dollars (\$220,000) for the 1976-77 fiscal year for the purpose of this act.

**Sec. 9.** This act shall become effective on July 1, 1975.

In the General Assembly read three times and ratified, this the 26th day of June, 1975.